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**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA**

10 In re
11 4402 MAMMOTH INVESTORS, LLC,
12 Debtor,
13 4402 MAMMOTH INVESTORS, LLC,
14 Plaintiff
15 v.
16 STONEHAVEN, LLC
17 Defendant.

Case No. 2:18-bk-12055-WB
Chapter 11
Adv. No. 2:19-ap-01289-WB

**ARTHUR ASLANIAN, ANITA ASLANIAN,
LJ PROPERTIES, INC., AND RIVERSIDE
INVESTORS, LLC'S EMERGENCY
MOTION FOR PROTECTIVE ORDER
WITH REGARD TO PRIVATE TAX
RETURN AND CONFIDENTIAL
FINANCIAL INFORMATION SOUGHT BY
STONEHAVEN LLC; DECLARATION OF
BENJAMIN S. TRAGISH IN SUPPORT
THEREOF**

**[Emergency Hearing Requested Pursuant to
LBR 9075-11]**

1 **I. BASIS OF EMERGENCY: RELIEF REQUESTED**

2 Non-Parties Arthur Aslanian, Anita Aslanian, LJ Properties, Inc., and Riverside Investors,
3 LLC (“Aslanian Parties”) hereby make an **Emergency Motion** for a protective order precluding
4 the production of all private tax return information (as to the Aslanian Parties) and all confidential
5 financial statements related to the Aslanian Parties as sought by subpoenas and notices of deposition
6 issued by Stonehaven, LLC (“Stonehaven”) to First Choice Bank and Nadel CPA (Exhibit 1 to
7 Declaration of Benjamin S. Tragish (“Tragish Decl.”)).

8 While the subpoenas issued to First Choice Bank and Nadel CPA and the requests for
9 production accompanying the subpoenas are wildly overbroad, Aslanian Parties’ seek the instant
10 Motion for Protective Order (“Motion”) on the *limited* grounds that Stonehaven’s requests calling
11 for the production of the Aslanian Parties’ tax return information are improper and protected from
12 disclosure by Ninth Circuit precedent. Furthermore, Stonehaven’s requests calling for the
13 production of Aslanian Parties’ confidential financial statements are patently irrelevant and
14 disproportionate to the scope of discovery.

15 Aslanian Parties seek this Motion on an exigent basis in light of Stonehaven’s setting of the
16 deposition date and production date for the subpoenas on seven (7) days’ notice, which, in effect
17 has left Aslanian Parties with no time to meaningfully meet and confer with Stonehaven’s counsel,
18 to notice the instant Motion on regular or shortened time, or to comply with the requirements of
19 LBR 7026-1(c) prior to the date designated for the production of documents, October 10, 2019, and
20 prior to the October 11, 2019 evidentiary Hearing on Mammoth Investors, LLC’s Motion for
21 Preliminary Injunction. See Tragish Decl. ¶ 10, Exh. 8.

22 This **Emergency Motion** is made based on the facts and grounds stated herein and in the
23 attached Declaration of Benjamin S. Tragish (“Tragish Decl.”).

24 **II. FACTUAL BACKGROUND**

25 On September 6, 2019, the Court granted 4402 Mammoth Investors, LLC’s (“Debtors” or
26 “Mammoth”) Motion for Temporary Restraining Order and Preliminary Injunction Restraining
27 Stonehaven, LLC, which sought to enjoin Stonehaven from enforcing a state court judgment

1 against Debtor's principal, Arthur Aslanian, on a guarantee of a debt owed by Debtor, which the
2 Court determined was well secured. See 9/20/19 Temporary Restraining Order, Exh. 2 to Tragish
3 Decl. Debtor's Motion was supposed by the Declaration of Arthur Aslanian, which attested that
4 due to Stonehaven's ongoing aggressive enforcement against Mr. Aslanian personally on the
5 Guaranty, Mr. Aslanian's time, energy, and resources were being substantially diverted from his
6 management duties to Mammoth. See 8/28/19 Declaration of Arthur Aslanian, Exh. 3 to Tragish
7 Decl., ¶ 4.

8 Debtor's Motion contained other evidence substantiating that counsel for Stonehaven has
9 harassed and intimidated Mr. Aslanian and his family on multiple occasions, including by
10 appearing at Mr. Aslanian's place of residence and at his place of work—with knowledge that Mr.
11 Aslanian was represented by counsel—and aggressively interrogating individuals with no
12 involvement in these proceedings, including contractors at Mr. Aslanian's home and Mr. Aslanian's
13 own daughter. See Aslanian Decl., ¶¶ 8-10. Additionally, counsel for Stonehaven indicated to Mr.
14 Aslanian that he intended to report him to federal authorities (for reasons which are unknown) and
15 threatened Mr. Aslanian and his counsel. Id. ¶¶ 8, 10.

16 Based on Debtor's moving papers, the Court entered a temporary restraining order against
17 Stonehaven on September 20, 2019, which among other things, precluded Stonehaven from
18 "propounding post-judgment discovery on Mr. Arthur Aslanian ("Mr. Aslanian") and his wife, Mrs.
19 Anita Aslanian ("Mrs. Aslanian"), to enforce its Judgment against Mr. Aslanian in the State Court
20 action entitled 4402 Mammoth Investors, LLC v. Stonehaven, LLC (Los Angeles County Superior
21 Court Case No. BC 656986) (the "State Court Action")." See Exh. 2 at 3:6-4:15, 4:20-24.

22 In attempt to circumvent the temporary restraining order, on September 23, 2019, rather
23 than tailor its requests to the scope of the evidentiary hearing on the Preliminary Injunction Motion,
24 Stonehaven began issuing notices of depositions and subpoenas, including to Aslanian Parties,
25 Arthur Aslanian's accountant, and Mammoth's lender. See Tragish Decl. ¶ 3.

26 After CSReeder, PC was retained to represent Aslanian Parties with respect to the
27 September 23, 2019 subpoenas, Stonehaven issued further deposition notices on Thursday, October
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1 3, 2019, seeking, among other things, Mr. Aslanian's tax returns and confidential financial
2 statements, including those of his wife, Anita Aslanian, LJ Properties, Inc. and Riverside Investors,
3 LLC. Stonehaven's request were served with a mere five-days' notice. See Further Deposition
4 Notices to First Choice Bank and Nadel CPA, Exh 1. Counsel for Aslanian Parties promptly issued
5 objections to the documents requested. See 10/4/19 Objections, Exh. 4 to Tragish Decl. Notably,
6 Nadel CPA (Mr. Aslanian's accountant), advised counsel for Stonehaven that it never received a
7 copy of the deposition notice seeking documents on October 8, 2019 when attempts were made to
8 confirm the deposition would proceed. See 10/8/19 Correspondence from S. Linka to M. Weiss,
9 Exh. 5 to Tragish Decl. Nadel CPA later issued an email to counsel for Stonehaven joining the
10 objections of Aslanian Parties. See 10/9/19 Correspondence from S. Linka to M. Weiss, Exh. 6 to
11 Tragish Decl.

12 On October 8, 2019, counsel for First Choice Bank confirmed its deposition would proceed
13 on Thursday, October 10, 2019 at 2:00 p.m. See Tragish Decl. ¶ 8. Accordingly, Counsel for
14 Aslanian Parties have filed the instant Protective Order at the soonest practicable time.

15 While a cursory review of the documents sought by Stonehaven reveals an array of
16 irrelevant, harassing information, the instant Motion is narrowly tailored to only private tax
17 documents and confidential financial statements sought by Stonehaven's requests.

III. BASIS FOR ISSUING PROTECTIVE ORDER

A. Motions for Protective Order May Be Brought to Prevent A Third-Party from Unwarranted Abuse and Harassment Stemming from Irrelevant Discovery Requests.

Federal Rule of Civil Procedure 26(c)(1) provides, in relevant part, that “[a] party or any person from whom discovery is sought may move for a protective order in the court where the action is pending …[and] The court may, for good cause, issue an order to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense, including one or more of the following: (A) forbidding the disclosure or discovery; (B) specifying terms, including time and place or the allocation of expenses, for the disclosure or discovery; (C)

1 prescribing a discovery method other than the one selected by the party seeking discovery; (D)
2 forbidding inquiry into certain matters, or limiting the scope of disclosure or discovery to certain
3 matters; ...[and] (G) requiring that a trade secret or other confidential research, development, or
4 commercial information not be revealed or be revealed only in a specified way.”

5 Subsection (c) to Rule 26 “underscores the extensive control that district courts have over
6 the discovery process, authorizing courts to make any order which justice requires to protect a
7 party or person from annoyance, embarrassment, oppression, or undue burden or expense.”

8 *United States v. Columbia Broadcasting System, Inc.*, 666 F.2d 364, 369 (citing 8 C. Wright and
9 A. Miller, *Federal Practice and Procedure: Civil* § 2036 at 267).

10 Federal Rule of Civil Procedure 26(b)(1) limits the scope of discovery to only such
11 information that it nonprivileged, relevant to any party’s claim or defense, and proportional to the
12 needs of the case.”

13 Stonehaven’s subpoenas and accompanying requests for production seeking the
14 production of tax return information and Aslanian Parties’ confidential financial statements from
15 an accountant and lender do not fall within the scope of discovery in connection with the October
16 11, 2019 Preliminary Injunction hearing. Stonehaven has issued these requests to continue to
17 harass Aslanian Parties, impair their professional business relationships, and otherwise undermine
18 attempts to pay off the debt owed to Stonehaven. By seeking protected financial information of
19 the Aslanian Parties, Stonehaven is attempting to perform the same type of discovery that they
20 were enjoined from conducting per the Court’s September 20, 2019 Temporary Restraining
21 Order. Notably, Aslanian Parties have no objection to the production of responsive, non-
22 confidential documents relating to the Debtor, 120 Stonehaven (the “Property”), Debtor’s
23 attempts to refinance the Property, or Debtor’s attempts to pay off the existing debt on the
24 Property, and have advised Stonehaven’s counsel of the same.

25 **B. Tax Return Information is Protected from Disclosure**

26 The Ninth Circuit Court of Appeals recognizes a public policy against unnecessary
27 disclosure of tax returns. *See, e.g., Premium Services Corp. v. Sperry & Hutchinson Co.*, 511
28 F.2d 225, 229 (9th Cir. 1975) (sustaining objection to subpoena seeking production of tax returns

1 as to individual and his affiliated entity in anti-trust litigation); *Sandoval v. Lagoon Assocs.*, LLC,
2 No. CV 15-04880 RGK (RAOx), 2016 U.S. Dist. LEXIS 41473, at *8 (C.D. Cal. Mar. 23, 2016)
3 (declining to compel discovery of tax return information on grounds that the financial information
4 sought through tax returns could be provided through other discovery methods). *Sandoval*
5 explains that courts generally apply a two-pronged test to balance the liberal scope of discovery
6 and the policy favoring the confidentiality of tax returns. *Id.* at 8. First, the court must find that
7 the returns are relevant to the subject matter of the action. *Id.* Second, the court must find that
8 there is a compelling need for the returns because the information contained therein is not
9 otherwise readily obtainable. *Id.* at 8-9 [internal citations omitted].

10 Here, the tax return information of the Aslanian Parties' has no bearing on whether a
11 Preliminary Injunction should be issued to enjoin Stonehaven from continuing to pursue its
12 judgment collection efforts against Mr. Aslanian while he attempts to manage and participate in
13 the litigation as to the title of the Property, and, while he attempts to plan for the sale of the
14 Property and its refinance so that the personal judgment held against him by Stonehaven can be
15 paid and he can assist Mammoth with a successful reorganization. See 8/28/19 Aslanian Decl. ¶
16 7, Exh. 3 to Tragish Decl. Stonehaven has no legitimate need for tax return information, much
17 less a compelling one, to oppose Mammoth's application for a Preliminary Injunction on October
18 11, 2019.

19 **IV. CONCLUSION**

20 For the reasons set forth herein, the Aslanian Parties respectfully request the Honorable
21 Court enter a Protective Order precluding the production of Aslanian Parties' tax return information
22 and any financial statements responsive to the subpoenas issued to First Choice Bank and Nadel
23 CPA.

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1 DATED: October 9, 2019

CSREEDER, PC

2 By:

3 Christopher S. Reeder
Benjamin S. Tragish

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5 **ATTORNEYS FOR ARTHUR ASLANIAN,**
ANITA ASLANIAN, LJ PROPERTIES, INC.
AND RIVERSIDE INVESTORS, LLC

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DECLARATION OF BENJAMIN S. TRAGISH

I, BENJAMIN S. TRAGISH, declare as follows:

3 1. I am an attorney with CSReeder, PC, counsel to Arthur Aslanian, Anita Aslanian,
4 Riverside Investors, LLC, and LJ Properties, Inc. (“Aslanian Parties”) with respect to various
5 discovery issues in this matter. I am duly admitted to practice before all Courts of the State of
6 California. I have personal knowledge of all matters stated herein, and if called as a witness, I
7 could and would testify thereto under oath.

8 2. This Declaration is given in support of Arthur Aslanian, Anita Aslanian, Riverside
9 Investors, LLC's, and LJ Properties, Inc.'s Emergency Motion for Protective Order with Regard
10 to Private Tax Return and Confidential Financial Information Sought by Stonehaven LLC
11 ("Stonehaven").

12 3. On September 23, 2019, counsel for Stonehaven emailed copies of deposition
13 subpoenas to Nadel CPA and First Choice Bank to counsel for Mammoth Investors, LLC, along
14 with subpoenas and notices of deposition to Arthur Aslanian, Anita Aslanian, LJ Properties, Inc.
15 and Riverside Investors, LLC seeking deposition and production dates of September 30, 2019.
16 Copies of the subpoenas were later obtained by CSReeder, PC before assuming representation of
17 the Aslanian Parties with respect to the outstanding discovery requests. On September 30, 2019,
18 Aslanian Parties issued objections to the subpoenas issued to the Aslanian Parties.

19 4. On Thursday, October 3, 2019, counsel for Stonehaven emailed copies of
20 deposition subpoenas to CSReeder, PC regarding the depositions of First Choice Bank and Nadel
21 CPA. Attached hereto as **Exhibit 1** is true and correct copy of further deposition notices relating
22 to First Choice Bank and Nadel CPA as received by CSReeder, PC on October 3, 2019.

23 5. Attached hereto as **Exhibit 2** is a true and correct copy of the Temporary
24 Restraining Order entered by the Court on September 20, 2019.

25 6. Attached hereto as **Exhibit 3** is a true and correct copy of the Declaration of
26 Arthur Aslanian submitted in support of Mammoth Investors, LLC's Motion for Temporary
27 Restraining Order and Preliminary Injunction.

1 7. Attached hereto as **Exhibit 4** are true and correct copies of objections served by
2 Aslanian Parties' counsel on Stonehaven's counsel on Friday, October 4, 2019 to the First Choice
3 Bank and Nadel CPA subpoenas.

4 8. Attached hereto as **Exhibit 5** is a true and correct copy of correspondence from
5 Shelby Linka of Nadel CPA to counsel for Stonehaven, sent on Tuesday, October 8, 2019.

6 9. Attached hereto as **Exhibit 6** is a true and correct copy of correspondence from
7 Shelby Linka of Nadel CPA to counsel for Stonehaven, sent on Wednesday, October 9, 2019.

8 10. I initiated meet and confer attempts with Stonehaven's counsel on Wednesday,
9 October 9, 2019, the day after receiving confirmation that the deposition of First Choice Bank
10 would go forward on Thursday, October 10, 2019. Attached hereto as **Exhibit 7** is a copy of
11 meet and confer correspondence sent to Stonehaven's counsel on Wednesday, October 9, 2019.
12 Unfortunately, due to the impending production date of Stonehaven's subpoenas and the Yom
13 Kippur holiday, counsel for Aslanian Parties was not able to complete the meet and confer
14 requirements of LBR 7026-1(c) prior to the date designated for the production of documents as to
15 First Choice Bank, October 10, 2019, and prior to the October 11, 2019 evidentiary Hearing on
16 4402 Mammoth Investors, LLC's Motion for Preliminary Injunction.

17 11. On or about 2:04 p.m. on Wednesday, October 9, 2019 I contacted the Court's
18 chambers at the designated emergency order telephone line with counsel of record for 4402
19 Mammoth Investors, LLC, Mark Young, to inquire whether the Court would hear this Motion on
20 an emergent basis. As of the filing of this Motion, Aslanian Parties have not received a
21 determination from the Court regarding this Motion's exigency.

22 Executed on October 9, 2019 at Los Angeles, California.

23 I declare under penalty of perjury that the foregoing is true and correct.

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BENJAMIN S. TRAGISH

EXHIBIT 1

MICHAEL H. WEISS, ESQ.
PROFESSIONAL CORPORATION
Michael H. Weiss (SBN 107481)
mhw@mhw-pc.com
6310 San Vicente Blvd., Suite 401
Los Angeles, California 90048
Telephone: 424-245-3100
Facsimile: 424-217-4160

THE LEICHTER FIRM, APC
Kevin J. Leichter, Esq. (SBN 154143)
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Attorneys for Stonehaven, LLC

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION**

In re

4402 MAMMOTH INVESTORS, LLC,

Debtor

4402 MAMMOTH INVESTORS, LLC,
Plaintiff,

Plaintiff,

VS.

STONEHAVEN, LLC,
Defendant.

Case No. 2:18-bk-12055-WB
Chapter 11
Adv. No. 2:19-ap-01289-WB

**FURTHER AMENDED NOTICES OF
DEPOSITIONS OF PLAINTIFF;
FIRST CHOICE BANK AND NADEL
CPA**

1 **TO PLAINTIFF DOC'S DREAM, LLC AND ITS ATTORNEYS OF RECORD:**

2 **DEPOSITION OF 4402 MAMMOTH INVESTORS, LLC**

3 **PLEASE TAKE NOTICE** that, under Federal Rule of Bankruptcy Procedure 7030(b)(6),
4 Defendant Stonehaven, LLC (“Defendant”), shall take the deposition upon oral examination of
5 Plaintiff 4402 Mammoth Investors, LLC (“Debtor”) through one or more officers, directors,
6 agents or other representatives who shall be designated to testify on Plaintiff’s behalf regarding
7 all information known or reasonably available to Plaintiff with respect to the subject matter
8 identified below.

9 This deposition shall commence on **October 10, 2019 at 9:00 a.m.** at the offices of **The**
10 **Leichter Firm, 10203 Santa Monica Boulevard, 4th Floor, Los Angeles, California 90067,** or
11 at such other time and location as agreed upon by the parties, and shall be taken before a duly
12 certified court reporter. The deposition will be recorded by stenographic means and may be
13 recorded by videotape.

14 NOTICE IS FURTHER GIVEN that Debtor shall bring and produce at the deposition, at
15 the time and place specified in this notice the documents and things as more particularly
16 described in Exhibit “A” hereto.

17 NOTICE IS FURTHER that, pursuant to Federal Rule of Bankruptcy Procedure
18 7030(b)(6), the matters on which examination is requested are as follows:

- 19 a. All steps that Debtor has taken to refinance 120 Stonehaven Way, Los Angeles, CA 90025
20 (the “Property”);
- 21 b. All steps that Debtor has taken to sell the Property;
- 22 c. All of the debts scheduled by Debtor on its schedules of assets and liabilities filed in this
23 bankruptcy case;
- 24 d. All payments by Arthur Aslanian or any other party to pay the debts or other obligations
25 of Debtor since January 1, 2017;
- 26 e. All facts relating to Debtor’s acquisition of the property;
- 27 f. All facts relating to Debtor’s attempts to obtain possession of the Property;

- 1 g. All statements made by Debtor to third parties concerning the sale or refinancing of the
- 2 Property;
- 3 h. The means by which Debtor reports its gains and losses for tax purposes; and
- 4 i. The means by which Debtor pays for services.

5 **NADEL DEPOSITION**

6 PLEASE TAKE NOTICE that Defendant Stonehaven, LLC will take the deposition, on
7 oral examination, of NADEL CPA ("NADEL"). The deposition will be taken on **October 8,**
8 **2019, 2019**, commencing at **2:00 p.m., at 6310 San Vicente Blvd., Suite 401, Los Angeles,**
9 **California 90048.**

10 NOTICE IS FURTHER GIVEN that the matters on which examination is requested are (i)
11 all debts owed by Debtor or Arthur Aslanian NADEL, (ii) loan applications filed by either Arthur
12 Aslanian, (iii) any tax returns filed in past five years for Debtor, Arthur Aslanian, Anita Aslanian,
13 LJ Properties, LLC or Riverside Investors, LLC, (iv) the acquisition and refinancing of 120
14 Stonehaven Way, Los Angeles, CA 90025, and (v) any financial statements prepared by any
15 person for Debtor, Arthur Aslanian, Anita Aslanian, LJ Properties, LLC or Riverside Investors,
16 LLC. NADEL must designate and produce at the deposition one or more of its officers,
17 directors, managing agents, or other persons who consent to testify on its behalf as to matters
18 known or reasonably available to the organization. It is hereby requested that NADEL provide
19 prompt notification in writing to the undersigned as to the name, address, telephone number,
20 capacity, and job title of each person so designated to testify and the matters on which this person
21 will testify.

22 NOTICE IS FURTHER GIVEN that NADEL shall bring and produce at the deposition, at
23 the time and place specified in this notice as more the documents and things particularly
24 described in Exhibit "B" hereto.

25 The deposition will be taken before officer, or a deposition officer who is authorized to
26 administer an oath. The testimony will be recorded by stenographic means. If the deposition is
27 not completed on the date specified in this notice, the taking of the deposition will continue from
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day to day until completed.

DEPOSITION OF FIRST CHOICE BANK

PLEASE TAKE NOTICE that Defendant Stonehaven, LLC will take the deposition, on oral examination, of First Choice Bank (“FCB”). The deposition will be taken on **October 8, 2019, commencing at 10:00 a.m., at 6310 San Vicente Blvd., Suite 401, Los Angeles, California 90048.**

NOTICE IS FURTHER GIVEN that the matters on which examination is requested are (i) all debts owed by Debtor or Arthur Aslanian FCB, (ii) loan applications filed by either Arthur Aslanian, (iii) any tax returns filed in past five years for Debtor, Arthur Aslanian, Anita Aslanian, LJ Properties, LLC or Riverside Investors, LLC, (iv) the acquisition and refinancing of 120 Stonehaven Way, Los Angeles, CA 90025, and (v) any financial statements prepared by any person for Debtor, Arthur Aslanian, Anita Aslanian, LJ Properties, LLC or Riverside Investors, LLC. FCB must designate and produce at the deposition one or more of its officers, directors, managing agents, or other persons who consent to testify on its behalf as to matters known or reasonably available to the organization. It is hereby requested that FCB provide prompt notification in writing to the undersigned as to the name, address, telephone number, capacity, and job title of each person so designated to testify and the matters on which this person will testify.

NOTICE IS FURTHER GIVEN that FCB shall bring and produce at the deposition, at the time and place specified in this notice as more the documents and things particularly described in Exhibit "C" hereto.

The deposition will be taken before officer, or a deposition officer who is authorized to administer an oath. The testimony will be recorded by stenographic means. If the deposition is not completed on the date specified in this notice, the taking of the deposition will continue from day to day until completed.

1 Dated: October 3, 2019.

2 MICHAEL H. WEISS, ESQ.

3 PROFESSIONAL CORPORATION

4 THE LEICHTER FIRM APC

5 KEVIN J. LEICHTER

6 ANDREW E. HEWITT

7 By: /s/Michael H. Weiss

8 Attorneys for STONEHAVEN,
9 LLC, a California limited liability
10 company

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MICHAEL H. WEISS, ESQ.
PROFESSIONAL CORPORATION
6310 San Vicente Boulevard, Suite 401
Los Angeles, CA 90048
Tel: (424) 245-3100

1 **EXHIBIT A**
2 **4402 Mammoth**

3 **A. Definitions**

4 Unless a contrary meaning clearly appears in the context, the following definitions shall
5 apply to these requests:

6 1. "Document" shall mean any document or electronically stored information on any
7 medium, as defined in Federal Rule of Civil Procedure 34(a), including, but not limited to,
8 papers, writings, tangible objects, letters, correspondence, bills, memoranda, internal and external
9 electronic mail ("email"), notes, notations, messages, work papers, laboratory books, reports,
10 photographs, computer presentations, electronic files, electronic transmissions, computer data,
11 computer-stored data, computer-generated data, computer diskettes, CD-ROMs, video or audio
12 tapes, spreadsheets, summaries, facsimiles, drawings, blueprints, notes of meetings, notes of
13 telephone conversations, recordings, plans, and test results. "Document" includes any draft of a
14 document and any non-identical copy of a document.

15 2. "Thing" shall mean and include every kind of physical specimen or tangible item,
16 as defined in Federal Rule of Civil Procedure 34, other than a document.

17 3. "Person" shall mean any natural person, sole proprietorship, corporation,
18 company, association, joint venture, firm, partnership, municipality, municipal entity, or other
19 legal or business entity.

20 4. "Communicate" and "Communications" shall mean the transmittal of information
21 in the form of facts, ideas, inquiries, or otherwise, which include any meeting, conference, face-
22 to-face conversation, e-mail communication, telephone conversation, or conference or
23 communication used by any media, as well as any written, taped, or recorded communication of
24 any kind whatsoever.

25 5. "Refer," "Referring to," "Relate" or "Relating to" shall mean constituting,
26 discussing, memorializing, containing, analyzing, embodying, reflecting, identifying,
27 incorporating, mentioning, connected with, comprising, consisting, indicating, describing,
28 referring, relating to, evidencing, showing, discussing, commenting on, considering,
 recommending, dealing with, pertaining to or involving in any way whatsoever, in whole or in
 part, the subject matter of the discovery request.

29 6. "Plaintiff" means 4402 Mammoth Investors, LLC or to any of its officers,
30 directors, employees, internal and outside counsel, agents, representatives, consultants, and any
31 other person(s) acting under its control or on its behalf.

32 7. "YOU" OR "YOUR" refers to Plaintiff

33 8. "Debtor" refers to 4402 Mammoth Investors, LLC.

34 9. "Complaint" refers to the operative complaint filed by Plaintiff in the present
35 action.

36 10. "Aslanian" refers to Arthur Aslanian or Anita Aslanian.

37 11. The "Property" refers to 120 Stonehaven Way, Los Angeles, CA 90025

38 **B. DOCUMENTS WITHHELD**

39 If any document is withheld under a claim of privilege or other protection, so as to aid the
40 Court and the parties hereto to determine the validity of the claim of privilege or other protection,
41 please provide the following information with respect to any such document:

42 1. The identity of the person(s) who prepared the document, who signed it, and over
43 whose name it was sent or issued;

44 2. The identity of the person(s) to whom the document was directed;

45 3. The nature and substance of the document with sufficient particularity to enable
46 the Court and parties hereto to identify the document;

- 1 4. The date of the document;
- 2 5. The identity of the person(s) having custody of or control over the document and
each copy thereof;
- 3 6. The identity of each person to whom copies of the document were furnished;
- 4 7. The number of pages;
- 5 8. The basis on which any privilege or other protection is claimed; and
- 6 9. Whether any non-privileged or non-protected matter is included in the document.

7 **C. PARTIAL PRODUCTION**

8 Whenever YOU object to a particular demand, or portion thereof, YOU must produce all
9 documents called for which are not subject to that objection. Similarly, wherever a document is
10 not produced in full, please state with particularity the reason or reasons it is not being produced
11 in full, and describe, to the best of Plaintiff's knowledge, information and belief and with as much
12 particularity as possible, those portions of the document which are not produced.

13 **D. ORDERLY RESPONSE**

14 Whenever it is reasonably practicable, please produce documents in such a manner as will
15 facilitate their identification with the particular demand or category of demands to which they are
16 responsive.

17 **E. CONSTRUCTION OF "AND" AND "OR"**

18 As used herein, the words "and" and "or" shall be construed both conjunctively and
19 disjunctively, and each shall include the other wherever such dual construction will serve to bring
20 within the scope of this Demand any document which would otherwise not be brought within its
21 scope.

22 **F. CONSTRUCTION OF THE SINGULAR AND PLURAL FORMS**

23 As used herein, the singular form shall include the plural and vice versa wherever such
24 dual construction will serve to bring within the scope of this Demand any document which would
25 otherwise not be brought within its scope.

26 **DOCUMENTS TO BE PRODUCED**

- 1 1. All documents and communications relating to any valuation of the Property.
- 2 2. All documents and communications relating to any efforts to refinance the
Property, including but not limited to any loan application and any all attachments any such
applications.
- 3 3. All documents and communications relating any proposed or completed
renovation of the Property.
- 4 4. All documents and communications relating to any obligations of Debtor to any
creditor listed in Schedule F of the Bankruptcy Schedules filed by Debtor in its bankruptcy case.
- 5 5. All documents and communications related to any offers received since January 1,
2108 for the sale of the Property.
- 6 6. Any and all communications with any appraiser of the value of the Property since
January 1, 2018.
- 7 7. Any retainer agreement with Young & Donohoe, LLP or Greenberg Glusker et al.
- 8 8. Copies of all documents evidencing any payment to any law firm or accountant for
services provided to Debtor.
- 9 9. All documents evidencing any communications with Daron Campbell, Concord
Real Estate Services, or Yaron Samuha.
- 10 10. All documents evidencing any communications with Daron Campbell regarding
the Property.
- 11 11. All documents showing the payment of any obligation of the Debtor.

EXHIBIT "B"

NADEL CPA

A. Definitions

Unless a contrary meaning clearly appears in the context, the following definitions shall apply to these requests:

1. "Document" shall mean any document or electronically stored information on any medium, as defined in Federal Rule of Civil Procedure 34(a), including, but not limited to, papers, writings, tangible objects, letters, correspondence, bills, memoranda, internal and external electronic mail ("email"), notes, notations, messages, work papers, laboratory books, reports, photographs, computer presentations, electronic files, electronic transmissions, computer data, computer-stored data, computer-generated data, computer diskettes, CD-ROMs, video or audio tapes, spreadsheets, summaries, facsimiles, drawings, blueprints, notes of meetings, notes of telephone conversations, recordings, plans, and test results. "Document" includes any draft of a document and any non-identical copy of a document.

2. "Thing" shall mean and include every kind of physical specimen or tangible item, as defined in Federal Rule of Civil Procedure 34, other than a document.

3. "Person" shall mean any natural person, sole proprietorship, corporation, company, association, joint venture, firm, partnership, municipality, municipal entity, or other legal or business entity.

4. "Communicate" and "Communications" shall mean the transmittal of information in the form of facts, ideas, inquiries, or otherwise, which include any meeting, conference, face-to-face conversation, e-mail communication, telephone conversation, or conference or communication used by any media, as well as any written, taped, or recorded communication of any kind whatsoever.

5. "Refer," "Referring to," "Relate" or "Relating to" shall mean constituting, discussing, memorializing, containing, analyzing, embodying, reflecting, identifying, incorporating, mentioning, connected with, comprising, consisting, indicating, describing, referring, relating to, evidencing, showing, discussing, commenting on, considering, recommending, dealing with, pertaining to or involving in any way whatsoever, in whole or in part, the subject matter of the discovery request.

6. "Plaintiff" means 4402 Mammoth Investors, LLC or to any of its officers, directors, employees, internal and outside counsel, agents, representatives, consultants, and any other person(s) acting under its control or on its behalf.

7. "You" or "Your" refers to NADEL CPA

8 "Debtor" refers to 4402 Mammoth Investors, LLC.

9. “Complaint” refers to the operative complaint filed by Plaintiff in the present action.

¹⁰ “Aslanian” refers to Arthur Aslanian or Anita Aslanian.

11 The "Property" refers to 120 Stonehaven Way Los Angeles CA 90025

G. DOCUMENTS WITHHELD

If any document is withheld under a claim of privilege or other protection, so as to aid the Court and the parties hereto to determine the validity of the claim of privilege or other protection, please provide the following information with respect to any such document:

10. The identity of the person(s) who prepared the document, who signed it, and over whose name it was sent or issued;

11. The identity of the person(s) to whom the document was directed;

- 1 12. The nature and substance of the document with sufficient particularity to enable
the Court and parties hereto to identify the document;
- 2 13. The date of the document;
- 3 14. The identity of the person(s) having custody of or control over the document and
each copy thereof;
- 4 15. The identity of each person to whom copies of the document were furnished;
- 5 16. The number of pages;
- 6 17. The basis on which any privilege or other protection is claimed; and
- 7 18. Whether any non-privileged or non-protected matter is included in the document.

H. PARTIAL PRODUCTION

Whenever YOU object to a particular demand, or portion thereof, YOU must produce all documents called for which are not subject to that objection. Similarly, wherever a document is not produced in full, please state with particularity the reason or reasons it is not being produced in full, and describe, to the best of Plaintiff's knowledge, information and belief and with as much particularity as possible, those portions of the document which are not produced.

I. ORDERLY RESPONSE

Whenever it is reasonably practicable, please produce documents in such a manner as will facilitate their identification with the particular demand or category of demands to which they are responsive.

J. CONSTRUCTION OF "AND" AND "OR"

As used herein, the words "and" and "or" shall be construed both conjunctively and disjunctively, and each shall include the other wherever such dual construction will serve to bring within the scope of this Demand any document which would otherwise not be brought within its scope.

K. CONSTRUCTION OF THE SINGULAR AND PLURAL FORMS

As used herein, the singular form shall include the plural and vice versa wherever such dual construction will serve to bring within the scope of this Demand any document which would otherwise not be brought within its scope.

DOCUMENTS TO BE PRODUCED

- 1 1. All documents and communications relating to any valuation of the Property.
- 2 2. All documents and communications relating to any efforts to refinance the
Property, including but not limited to any loan application and any all attachments any such
applications.
- 3 3. All documents and communications relating any proposed or completed
renovation of the Property.
- 4 4. All documents and communications relating to any obligations of Debtor to any
creditor listed in Schedule F of the Bankruptcy Schedules which is attached hereto as Exhibit "A"
filed by Debtor in its bankruptcy case.
- 5 5. Any and all documents evidencing payments to or from Aslanian or Debtor.
- 6 6. All tax returns prepared for Aslanian, the Debtor, or any entity of which Aslanian
is the chief executive officer, president, secretary, chief financial officer, treasure, managing
member or manager prepared since January 1, 2015.
- 7 7. All financial statements prepared for Aslanian or reviewed you, the Debtor, or any
entity of which Aslanian is the chief executive officer, president, secretary, chief financial officer,
treasure, managing member or manager prepared since January 1, 2015.
- 8 8. Copies of all documents evidencing any payment to any law firm or accountant for
services provided to Debtor.

- 1 9. All documents evidencing any communications with Daron Campbell, Concord
- 2 Real Estate Services, or Yaron Samuha.
- 3 10. All documents showing the payment of any obligation of the Debtor.
- 4 11. All documents or communications concerning the Property.
- 5 12. All documents or communication for the financing or refinancing of the Property.

MICHAEL H. WEISS, ESQ.
PROFESSIONAL CORPORATION
6310 San Vicente Boulevard, Suite 401
Los Angeles, CA 90048
Tel: (424) 245-3100

1

EXHIBIT C

2

FIRST CHOICE BANK

3

B. Definitions

1

Unless a contrary meaning clearly appears in the context, the following definitions shall apply to these requests:

1. "Document" shall mean any document or electronically stored information on any medium, as defined in Federal Rule of Civil Procedure 34(a), including, but not limited to, papers, writings, tangible objects, letters, correspondence, bills, memoranda, internal and external electronic mail ("email"), notes, notations, messages, work papers, laboratory books, reports, photographs, computer presentations, electronic files, electronic transmissions, computer data, computer-stored data, computer-generated data, computer diskettes, CD-ROMs, video or audio tapes, spreadsheets, summaries, facsimiles, drawings, blueprints, notes of meetings, notes of telephone conversations, recordings, plans, and test results. "Document" includes any draft of a document and any non-identical copy of a document.

2. "Thing" shall mean and include every kind of physical specimen or tangible item, as defined in Federal Rule of Civil Procedure 34, other than a document.

3. "Person" shall mean any natural person, sole proprietorship, corporation, company, association, joint venture, firm, partnership, municipality, municipal entity, or other legal or business entity.

4. "Communicate" and "Communications" shall mean the transmittal of information in the form of facts, ideas, inquiries, or otherwise, which include any meeting, conference, face-to-face conversation, e-mail communication, telephone conversation, or conference or communication used by any media, as well as any written, taped, or recorded communication of any kind whatsoever.

5. "Refer," "Referring to," "Relate" or "Relating to" shall mean constituting, discussing, memorializing, containing, analyzing, embodying, reflecting, identifying, incorporating, mentioning, connected with, comprising, consisting, indicating, describing, referring, relating to, evidencing, showing, discussing, commenting on, considering, recommending, dealing with, pertaining to or involving in any way whatsoever, in whole or in part, the subject matter of the discovery request.

6. "Plaintiff" means 4402 Mammoth Investors, LLC or to any of its officers, directors, employees, internal and outside counsel, agents, representatives, consultants, and any other person(s) acting under its control or on its behalf.

7 "You" or "Your" refers to Riverside Investors, LLC.

“Debtor” refers to 4402 Mammoth Investors, LLC

8. "Buster" refers to 4402 Mammoth Investors, LLC.
9. "Complaint" refers to the operative complaint filed by Plaintiff in the present action.

¹⁰ “Aslanian” refers to Arthur Aslanian or Anita Aslanian

11 The “Property” refers to 120 Storchaven Way, Los

II. The Property refers to 120 Stonhaven Way, Los Angeles, CA 90023
DOCUMENTS WITHHELD

DOCUMENTS WITHHELD

If any document is withheld under a claim of privilege or other protection, so as to

L. DOCUMENTS WITHHELD

Court and the parties hereto to determine the validity of the claim of privilege or other protection, please provide the following information with respect to any such document:

19. The identity of the person(s) who prepared the document, who signed it, and over whose name it was sent or issued;

20. The identity of the person(s) to whom the document was directed;

- 1 21. The nature and substance of the document with sufficient particularity to enable
the Court and parties hereto to identify the document;
- 2 22. The date of the document;
- 3 23. The identity of the person(s) having custody of or control over the document and
each copy thereof;
- 4 24. The identity of each person to whom copies of the document were furnished;
- 5 25. The number of pages;
- 6 26. The basis on which any privilege or other protection is claimed; and
- 7 27. Whether any non-privileged or non-protected matter is included in the document.

6 **M. PARTIAL PRODUCTION**

7 Whenever YOU object to a particular demand, or portion thereof, YOU must produce all
8 documents called for which are not subject to that objection. Similarly, wherever a document is
9 not produced in full, please state with particularity the reason or reasons it is not being produced
10 in full, and describe, to the best of Plaintiff's knowledge, information and belief and with as much
11 particularity as possible, those portions of the document which are not produced.

10 **N. ORDERLY RESPONSE**

11 Whenever it is reasonably practicable, please produce documents in such a manner as will
12 facilitate their identification with the particular demand or category of demands to which they are
13 responsive.

12 **O. CONSTRUCTION OF "AND" AND "OR"**

13 As used herein, the words "and" and "or" shall be construed both conjunctively and
14 disjunctively, and each shall include the other wherever such dual construction will serve to bring
15 within the scope of this Demand any document which would otherwise not be brought within its
16 scope.

15 **P. CONSTRUCTION OF THE SINGULAR AND PLURAL FORMS**

16 As used herein, the singular form shall include the plural and vice versa wherever such
17 dual construction will serve to bring within the scope of this Demand any document which would
18 otherwise not be brought within its scope.

17 **DOCUMENTS TO BE PRODUCED**

- 18 1. All documents and communications relating to any obligation of Debtor or
Aslanian to you.
- 19 2. All documents and communications relating to any efforts to acquire the Property,
including but not limited to any loan application and any all attachments to any such applications,
20 including but not limited to any tax returns provided to You.
- 21 3. All documents and communications relating any proposed or completed
renovation of the Property.
- 22 4. Any and all documents evidencing payments to You from either or from Aslanian
or Debtor.
- 23 5. Any and all documents evidencing payments from You to or for the benefit of
Debtor or Aslanian

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 6310 SAN VICENTE BLVD. # 401 LOS ANGLES, CA 90048

A true and correct copy of the foregoing document entitled (*specify*): **FURTHER AMENDED NOTICES OF DEPOSITIONS OF PLAINTIFF; FIRST CHOICE BANK AND NADEL CPA**

will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 9/25/19, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

n/a

Service information continued on

attached page

2. **SERVED BY UNITED STATES MAIL**:

On (date) _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

attached page

Service information continued on

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) 9/25/19, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows.

Mark Young <myoung@donahoeyoung.com>; Maria Garcia <MGarcia@donahoeyoung.com>;
Taylor Williams TWilliams@donahoeyoung.com Ben Tragish <ben@csrlawyers.com>; Rick Shaffer
<rick@raslaw.com>; Christopher Reeder <chris@csrlawyers.com> Shelby@nadelcpa.com

attached page

Service information continued on

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

10/3/19 MICHAEL H. WEISS

/S/ Michael H. Weiss

Date

Printed Name

Signature

EXHIBIT 2

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CLERK U.S. BANKRUPTCY COURT
Central District of California
BY kaaumoanDEPUTY CLERK

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re:
4402 MAMMOTH INVESTORS, LLC,
Debtor(s).

4402 MAMMOTH INVESTORS, LLC,
v.
STONEHAVEN LLC,
Defendant(s).

CHAPTER 11

Case No.: 2:18-bk-12055-WB
Adv No: 2:19-ap-01289-WB

**TEMPORARY RESTRAINING ORDER AND
ORDER SETTING HEARING ON
PRELIMINARY INJUNCTION**

Date: September 6, 2019
Time: 10:00 AM
Courtroom: 1375

Hearing re Preliminary Injunction

Date: October 11, 2019
Time: 10:00 a.m.
Courtroom: 1375

The “Motion for Temporary Restraining Order and Preliminary Injunction Restraining Stonehaven, LLC from Enforcing Judgment on Personal Guarantee Against Debtor’s Principal” filed herein by Plaintiff/Debtor/Debtor-in-Possession 4402 MAMMOTH INVESTORS, LLC

1 (“Debtor”) on August 28, 2019 (“the Motion”; Doc. 3) came on for hearing on September 6,
2 2019, on the 10:00 a.m. calendar, pursuant to an “Order Granting Application and Setting
3 Hearing on Shortened Notice” entered August 30, 2019 (Doc. 7). Debtor was represented by its
4 attorneys, Mark T. Young and Maria L. Garcia of Donahoe & Young LLP. Creditor/Defendant
5 STONEHAVEN, LLC (“Stonehaven”) was represented by its attorney, Michael H. Weiss of
6 Michael H. Weiss Professional Corporation. Kevin Leichter, state court counsel for Stonehaven,
7 also appeared and made statements to the Court. At the hearing held on September 6, 2019, the
8 Court orally granted a temporary restraining order.

9 On September 10, 2019, Debtor lodged a proposed “Temporary Restraining Order and
10 Order Setting Hearing on Preliminary Injunction” (Doc. 16). The same day Stonehaven filed the
11 “Objections to Order for Temporary Restraining Order and Preliminary Injunction Lodged by
12 Plaintiff and Declaration of Michel [Sic] H. Weiss” (Doc. 17). On September 13, 2019, Debtor
13 lodged a “[Revised/Proposed] Temporary Restraining Order and Order Setting Hearing on
14 Preliminary Injunction” (Doc. 20) and filed a “Response to ‘Objections to Order for Temporary
15 Restraining Order and Preliminary Injunction Lodged by Plaintiff and Declaration of Michel
16 [Sic] H. Weiss’” (Doc. 21). On September 17, 2019, Stonehaven filed a “Reply to Response to
17 Objections to Order for Temporary Restraining Order and Preliminary Injunction Lodged by
18 Plaintiff” (Doc. 22). Thereafter, the Court set a hearing on the objection to the proposed
19 temporary restraining order, which was held on September 19, 2019 at 2:00 p.m. Debtor was
20 represented by its attorney, Maria L. Garcia of Donahoe & Young LLP. Creditor/Defendant
21 Stonehaven was represented by its attorney, Michael H. Weiss of Michael H. Weiss Professional
22 Corporation. Kevin Leichter and Andrew Hewitt, state court counsel for Stonehaven, also
23 appeared.

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1 The Court having considered the Motion, the opposition thereto filed by Stonehaven on
2 September 4, 2019 (Doc. 14) and the Errata thereto filed on September 5, 2019 (Doc. 15), the
3 pleadings, records and files herein, and having heard argument of counsel,

4 A. Issues this Temporary Restraining Order for the reasons and findings stated on the
5 record and as follows:

6 1. Likelihood of Success on the Merits

7 The likelihood of success on the merits requires a showing that Debtor has a reasonable
8 likelihood of successful reorganization. At this time, the Court finds that Debtor has a
9 reasonable likelihood of successful reorganization. As of today, Debtor's objection to
10 Stonehaven's claim will be resolved on October 7, 2019. Once resolved, Debtor may confirm a
11 plan that sells or refinances Debtor's real property, Debtor's only substantial asset.

12 The Court further notes that this may change. Stonehaven may give evidence regarding
13 the likelihood of reorganization at the hearing on the Motion for Preliminary Injunction on
14 October 11, 2019.

15 2. Likelihood of Irreparable Injury

16 At this time, the Court finds a likelihood of irreparable injury to Debtor and Debtor's
17 reorganization. On July 29, 2019, Stonehaven filed a "Motion for Order to Charge Cross-
18 Defendant and Judgment Debtor Arthur Aslanian's Membership Interest in 4402 Mammoth
19 Investors, LLC and to Foreclose on Judgment Debtor's Interest" (the "Charging Order Motion")
20 in the State Court Action, which is set for hearing on September 23, 2019 before the State Court.
21 If that motion is granted, Mr. Aslanian will lose his interest in Debtor and Stonehaven will take
22 control of Debtor. This could cause irreparable injury to Debtor and Debtor's reorganization
23 efforts concerning the sale or refinance of the real property.

24 3. Balance of the Hardships

25 At this time, the balance of the hardships weighs in favor of Debtor because of the loss
26 and the fact that Stonehaven is adequately protected by an adequate equity cushion. However,
27 the Court notes that the equity cushion may diminish depending on the outcome of Debtor's
28 objection to Stonehaven's proof of claim, including the default interest. This Order is to allow

1 Mr. Aslanian to focus on and not be distracted from his efforts to reorganize this chapter 11 case.

2 4. Advancement of the Public Interest

3 The interest in proceeding with Debtor's reorganization process outweighs, at least on a
4 short-term basis, moving forward with the collection and foreclosure against Mr. Aslanian. In
5 addition, there is a strong public interest to protect the integrity of the bankruptcy process, until
6 the preliminary injunction hearing, by staying the foreclosure that would effectively nullify the
7 Court's ruling denying Stonehaven's motion for relief from stay.

8 B. HEREBY ORDERS that the Motion is GRANTED on the following terms:

9 1. Stonehaven is restrained and enjoined from propounding post-judgment
10 discovery on Mr. Arthur Aslanian ("Mr. Aslanian") and his wife, Mrs. Anita Aslanian ("Mrs.
11 Aslanian"), to enforce its Judgment against Mr. Aslanian in the State Court action entitled 4402
12 Mammoth Investors, LLC v. Stonehaven, LLC (Los Angeles County Superior Court Case No.
13 BC 656986) (the "State Court Action"), provided however that Stonehaven may file an
14 application for order for Appearance and Examination of Mrs. Aslanian and may serve any order
15 obtained on Mrs. Aslanian.

16 2. Stonehaven is enjoined from proceeding with the Motion for Charging
17 Order and will continue the hearing on that motion to a date after October 11, 2019.

18 3. Stonehaven is not enjoined or restrained from continuing efforts to obtain
19 liens against Mr. Aslanian's assets.

20 4. The date and hour of issuance of this Order is as of the entry of this Order
21 on the Court's docket. The Order will remain in effect until the conclusion of the hearing on
22 Debtor's Motion for Preliminary Injunction in this adversary proceeding, scheduled for October
23 11, 2019 at 10:00 a.m. (advanced from the previously-announced hearing date of November 5,
24 2019 at 2:00 p.m.) in Courtroom 1375 of the above-referenced Court. Parties may file
25 supplemental pleadings to address the issues set forth at the hearing by October 4, 2019.

26 5. A status conference will be held on September 26, 2019 at 4:00 p.m. via
27 telephone to set discovery deadlines, including but not limited to the meet and confer deadline.
28 To the extent the parties have agreed on a discovery schedule and have jointly determined that

1 the status hearing is not needed, the parties shall jointly notify the Court by telephone by 4:00
2 p.m. on September 25, 2019, and the Court will take the status hearing off calendar.

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Date: September 20, 2019

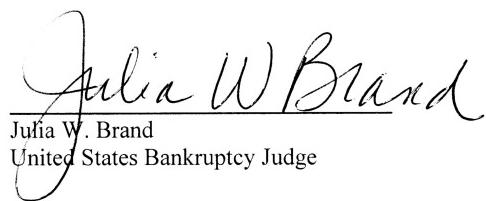

Julia W. Brand
United States Bankruptcy Judge

EXHIBIT 3

DECLARATION OF ARTHUR R. ASLANIAN

I, ARTHUR R. ASLANIAN, declare as follows:

1. I am the Manager of 4402 MAMMOTH INVESTORS, LLC (“Mammoth”), a California limited liability company. Mammoth is the debtor/debtor-in-possession in this Chapter 11 case. I am over the age of 21 years. I have personal knowledge of all matters stated herein, and if called as a witness could and would testify thereto under oath.

2. This Declaration is given in support of Mammoth’s “Motion for Temporary Restraining Order and Preliminary Injunction Restraining Stonehaven, LLC, from Enforcing Judgement on Personal Guarantee Against Debtor’s Principal” (the “Motion ”).

3. Mammoth acquired title to the real property commonly known as 120 Stonehaven Drive, Los Angeles, California 90049 (“the “Property”) by a Grant Deed recorded in the Official Records of Los Angeles County on May 29, 2015 (Instrument No. 2015-064413). The purchase price of the Property paid by Mammoth was \$2,000,000, of which \$1,500,000 was funded by a loan from Vicino Limited Partnership (“Vicino”) to Mammoth as stated in a “Promissory Note Secured by Deed of Trust” dated May 22, 2015 (“the Note”). The Note was for a one-year term, maturing as of June 1, 2016.

4. The Note was secured by a Deed of Trust on the Property in favor of Vicino (the "Deed of Trust") recorded in the Official Records of Los Angeles County on May 29, 2015 as Instrument No. 2015-0624414.

5. Concurrently with the execution of the Note and Deed of Trust by Mammoth, I executed a “Guaranty” by which I personally guaranteed Mammoth’s obligations on the Note.

6. After the Note had matured, on or about August 10, 2016, Vicino transferred the beneficial interest in the Note and Deed of Trust to STONEHAVEN, LLC (“Stonehaven”).

7. I am the only Manager of Mammoth, and its majority Member. All decisions of Mammoth are mine, and Mammoth only acts through me. At present my efforts for Mammoth consist of managing and participating in the remaining litigation as to title to the Property (the second of the two cases challenging Mammoth's title is set for trial on September 11, 2019), possession of the Property (trial in the unlawful detainer case is set for September 4, 2019), and the

1 amount of Stonehaven's claim (an evidentiary hearing in this Court is set for September 6, 2019),
2 as well as planning for the sale of the Property and/or its refinance. However, due to Stonehaven's
3 ongoing aggressive enforcement of its judgment against me personally on the Guaranty, my time,
4 energy and resources are being consumed by my personal defense and complying with judgment
5 debtor discovery, and such time, energy and resources are being substantially diverted from my
6 management duties as to Mammoth. If Stonehaven's judgment enforcement effects against me are
7 temporarily enjoined, I can fulfill my duties to see Mammoth through to a successful reorganization.

8. At the judgment debtor examination on August 19, 2019, counsel for Stonehaven
9 (Kevin Leichter) arrived late; my counsel (Geoffrey Melkonian) and I were required to wait over
10 two (2) hours, and then I was subjected to questioning for approximately four (4) hours, without a
11 lunch break. At one point late in the day, Mr. Leichter threatened me with reporting me to Federal
12 and State taxing authorities, and suggested that I assert my Fifth Amendment right against self-
13 incrimination.

14. On August 22, 2019, Mr. Leichter came to my residence and took photographs (or
15 video), for unknown purposes. He also went to my office that day, and harassed my office staff.

16. My judgment debtor examination resumed on August 26, 2019. At that session, Mr.
17 Leichter: (a) acknowledged that he had gone to my home and communicated with contractors
18 performing work at my home on August 22 (see Paragraph 9 above); (b) threatened to report my
19 counsel (Benjamin Tragish) to the State Bar for asserting a privilege in responding to questions
20 regarding taxes; and (c) informed Mr. Tragish and me that Shahram Elyaszadeh's father (one of the
21 occupants of the Property) had recently passed away, and that therefore a settlement of Mammoth's
22 pending unlawful detainer action is now more possible.

23 Executed on August 28, 2019 at Glendale, California.

24 I declare under penalty of perjury that the foregoing is true and correct.

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27
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EXHIBIT 4

1 Christopher S. Reeder, Bar No. 193041
2 Chris@csrlawyers.com
3 Benjamin S. Tragish, Bar No. 292188
4 Ben@csrlawyers.com
5 CSReeder, PC
6 11766 Wilshire Blvd., Suite 1470
7 Los Angeles, CA 90025
8 Tel: (310) 861-2470

9
10 Attorneys for Arthur Aslanian, Anita Aslanian,
11 LJ Properties, Inc. and Riverside Investors, LLC

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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA

In re
4402 MAMMOTH INVESTORS, LLC,
Debtor,

4402 MAMMOTH INVESTORS, LLC,
Plaintiff

v.
STONEHAVEN, LLC

Defendant.

Case No. 2:18-bk-12055-WB
Chapter 11
Adv. No. 2:19-ap-01289-WB

**ARTHUR ASLANIAN, ANITA ASLANIAN,
LJ PROPERTIES, INC., AND RIVERSIDE
INVESTORS, LLC'S OBJECTION TO
AMENDED NOTICE OF DEPOSITION TO
NADEL CPA TO TESTIFY AT A
DEPOSITION IN A BANKRUPTCY CASE
(OR ADVERSARY PROCEEDING)**

Date: October 8, 2019
Time: 2:00 p.m.
Location: 6310 San Vicente Blvd.,
Suite 401
Los Angeles, CA 90048

///

1 PLEASE TAKE NOTICE that Arthur Aslanian, Anita Aslanian, LJ Properties, Inc. and
2 Riverside Investors, LLC (“Responding Parties”) hereby object to Stonehaven, LLC’s
3 (“Stovehaven”) Further Amended Notice of Deposition to Nadel CPA on the following grounds:

4 **GENERAL OBJECTION**

5 Responding Parties object to each and every item of information requested in Stonehaven’s
6 Matters of Examination and Requests for Production to the extent the requests are overbroad and
7 call for the production of confidential, personal financial information related to one or more of the
8 Responding Parties, which exceed the reasonable and proportional scope of discovery and which
9 violate the Temporary Restraining Order executed by the Court on September 20, 2019.
10 Responding Parties do not object to responsive, non-confidential information relating to 4402
11 Mammoth Investors, LLC, the subject property, or attempts to refinance the subject property, so
12 long as the information does not require the production of private, confidential information
13 related to Responding Parties.

14 **MATTERS OF EXAMINATION**

15 **Item i) All debts owed by Debtor or Arthur Aslanian NADEL.**

16 Objection. This request calls for the production of confidential, personal financial
17 information related to Arthur Aslanian, which is irrelevant and exceeds the reasonable and
18 proportional scope of discovery and which violates the Temporary Restraining Order executed by
19 the Court on September 20, 2019. Responding Parties do not object to responsive, non-
20 confidential information relating to 4402 Mammoth Investors, LLC, the subject property, or
21 attempts to refinance the subject property so long as the information does not require the
22 production of private, confidential information related to Responding Parties.

23 **Item ii) Loan applications filed by either Arthur Aslanian.**

24 Objection. This request is vague and unintelligible. Further, it calls for the production of
25 confidential, personal financial information related to one or more of the Responding Parties,
26 which is irrelevant and exceeds the reasonable and proportional scope of discovery and which
27 violates the Temporary Restraining Order executed by the Court on September 20, 2019.

1 Responding Parties do not object to responsive, non-confidential information relating to 4402
2 Mammoth Investors, LLC, the subject property, or attempts to refinance the subject property so
3 long as the information does not require the production of private, confidential information
4 related to Responding Parties.

5 **Item iii) Any tax returns filed in past five years for Debtor, Arthur Aslanian, Anita
6 Aslanian, LJ Properties, LLC or Riverside Investors, LLC.**

7 Objection. This request calls for the production of confidential, personal financial
8 information related to the Responding Parties, which is irrelevant and exceeds the reasonable and
9 proportional scope of discovery and which violates the Temporary Restraining Order executed by
10 the Court on September 20, 2019. This request explicitly seeks confidential tax return information
11 protected by the right of privacy. *See, e.g., Premium Services Corp. v. Sperry & Hutchinson Co.*,
12 511 F.2d 225, 229 (9th Cir. 1975) *Sandoval v. Lagoon Assocs., LLC*, No. CV 15-04880 RGK
13 (RAOx), 2016 U.S. Dist. LEXIS 41473, at *8 (C.D. Cal. Mar. 23, 2016). Responding parties
14 specifically and explicitly object to the production of any tax return information. Responding
15 Parties do not object to responsive, non-confidential communications relating to 4402 Mammoth
16 Investors, LLC, the subject property, or attempts to refinance the subject property so long as the
17 information does not require the production of private, confidential information related to
18 Responding Parties.

19 **Item iv) The Acquisition and Refinancing of 120 Stonehaven Way, Los Angeles, CA
20 90025**

21 Responding Parties object to the limited extent that this request calls for the production of
22 information requiring the production of private, confidential information related to one or more of
23 the Responding Parties. Responding Parties do not object to responsive, non-confidential
24 information relating to 4402 Mammoth Investors, LLC, the subject property, or attempts to
25 refinance the subject property.

26 **Item v) Any financial statements prepared by any person for Debtor, Arthur Aslanian,
27 Anita Aslanian, LJ Properties, LLC or Riverside Investors, LLC**

28 Objection. This request calls for the production of confidential, personal financial

1 information related to the Responding Parties, which is irrelevant and exceeds the reasonable and
2 proportional scope of discovery and which violates the Temporary Restraining Order executed by
3 the Court on September 20, 2019. Responding parties specifically and explicitly object to the
4 production of any tax return information. *See, e.g., Premium Services Corp. v. Sperry &*
5 *Hutchinson Co.*, 511 F.2d 225, 229 (9th Cir. 1975) *Sandoval v. Lagoon Assocs., LLC*, No. CV 15-
6 04880 RGK (RAOx), 2016 U.S. Dist. LEXIS 41473, at *8 (C.D. Cal. Mar. 23, 2016).
7 Responding Parties do not object to responsive, non-confidential information relating to 4402
8 Mammoth Investors, LLC, the subject property, or attempts to refinance the subject property so
9 long as the information does not require the production of private, confidential information
10 related to Responding Parties.

11 **REQUESTS FOR PRODUCTION**

12 **Request No. 2: All documents and communications relating to any efforts to
refinance the Property, including but not limited to any loan application and any all
attachments any such applications.**

13 Objection. This request calls for the production of confidential, personal financial
14 information related to one or more of the Responding Parties, which is irrelevant and exceeds the
15 reasonable and proportional scope of discovery and which violates the Temporary Restraining
16 Order executed by the Court on September 20, 2019. Responding Parties also object to the extent
17 this request calls for the production of confidential tax return information protected by the right of
18 privacy. *See, e.g., Premium Services Corp. v. Sperry & Hutchinson Co.*, 511 F.2d 225, 229 (9th
19 Cir. 1975) *Sandoval v. Lagoon Assocs., LLC*, No. CV 15-04880 RGK (RAOx), 2016 U.S. Dist.
20 LEXIS 41473, at *8 (C.D. Cal. Mar. 23, 2016). Responding parties specifically and explicitly
21 object to the production of any tax return information. Responding Parties do not object to
22 responsive, non-confidential communications relating to 4402 Mammoth Investors, LLC, the
23 subject property, or attempts to refinance the subject property so long as the information does not
24 require the production of private, confidential information related to Responding Parties.

25 **Request No. 5. Any and all documents evidencing payments to or from Aslanian or
Debtor.**

1 Objection. This request calls for the production of confidential, personal financial
2 information related to Responding Parties, which is irrelevant and exceeds the reasonable and
3 proportional scope of discovery and which violates the Temporary Restraining Order executed by
4 the Court on September 20, 2019. Responding Parties also object to the extent this request calls
5 for the production of confidential tax return information protected by the right of privacy. *See,*
6 *e.g., Premium Services Corp. v. Sperry & Hutchinson Co.*, 511 F.2d 225, 229 (9th Cir. 1975)
7 *Sandoval v. Lagoon Assocs., LLC*, No. CV 15-04880 RGK (RAOx), 2016 U.S. Dist. LEXIS
8 41473, at *8 (C.D. Cal. Mar. 23, 2016). Responding parties specifically and explicitly object to
9 the production of any tax return information. Responding Parties do not object to responsive,
10 non-confidential communications relating to 4402 Mammoth Investors, LLC, the subject
11 property, or attempts to refinance the subject property so long as the information does not require
12 the production of private, confidential information related to Responding Parties.

13 **Request No. 6. All tax returns prepared for Aslanian, the Debtor, or any entity of
14 which Aslanian is the chief executive officer, president, secretary, chief financial officer,
15 treasurer, managing member or manager prepared since January 1, 2015.**

16 Objection. This request calls for the production of confidential, personal financial
17 information related to the Responding Parties, which is irrelevant and exceeds the reasonable and
18 proportional scope of discovery and which violates the Temporary Restraining Order executed by
19 the Court on September 20, 2019. This request explicitly seeks confidential tax return
20 information protected by the right of privacy. *See, e.g., Premium Services Corp. v. Sperry &*
21 *Hutchinson Co.*, 511 F.2d 225, 229 (9th Cir. 1975) *Sandoval v. Lagoon Assocs., LLC*, No. CV 15-
22 04880 RGK (RAOx), 2016 U.S. Dist. LEXIS 41473, at *8 (C.D. Cal. Mar. 23, 2016).
23 Responding parties specifically and explicitly object to the production of any tax return
24 information. Responding Parties do not object to responsive, non-confidential communications
25 relating to 4402 Mammoth Investors, LLC, the subject property, or attempts to refinance the
26 subject property so long as the information does not require the production of private, confidential
27 information related to Responding Parties.

28 **Request No. 7: All financial statements prepared for Aslanian or reviewed you, the**

1 **Debtor, or any entity of which Aslanian is the chief executive officer, president, secretary,**
2 **chief financial officer, treasure, managing member or manager prepared since January 1,**
3 **2015.**

4 Objection. This request calls for the production of confidential, personal financial
5 information related to Responding Parties, which is irrelevant and exceeds the reasonable and
6 proportional scope of discovery and which violates the Temporary Restraining Order executed by
7 the Court on September 20, 2019. This request also seeks confidential tax return information
8 protected by the right of privacy. *See, e.g., Premium Services Corp. v. Sperry & Hutchinson Co.*,
9 511 F.2d 225, 229 (9th Cir. 1975) *Sandoval v. Lagoon Assocs., LLC*, No. CV 15-04880 RGK
10 (RAOx), 2016 U.S. Dist. LEXIS 41473, at *8 (C.D. Cal. Mar. 23, 2016). Responding parties
11 specifically and explicitly object to the production of any tax return information. Responding
12 Parties do not object to responsive, non-confidential communications relating to 4402 Mammoth
13 Investors, LLC, the subject property, or attempts to refinance the subject property so long as the
14 information does not require the production of private, confidential information related to
15 Responding Parties.

16 **Request No. 8: Copies of all documents evidencing any payment to any law firm or**
17 **accountant for services provided to Debtor.**

18 Objection. This request calls for the production of irrelevant information which exceeds
19 the reasonable and proportional scope of discovery related to 4402 Mammoth Investors, LLC and
20 which violates the Temporary Restraining Order executed by the Court on September 20, 2019.

21 **Request No. 9: All documents evidencing any communications with Daron Campbell,**
22 **Concord Real Estate Services, or Yaron Samuha.**

23 Objection. This request exceeds the reasonable scope of discovery related to 4402
24 Mammoth Investors, LLC and is designed solely to harass the Responding Parties. Subject to and
25 without waiving said objections, Responding Parties do not object to responsive, non-confidential
26 documents relating to 4402 Mammoth Investors, LLC, the subject property, attempts to refinance
27 the subject property, and attempts to pay off the loan balance relating to the property.

28 **Request No. 11: All documents or communications concerning the Property.**

1 Responding Parties objected to this request to the limited extent it requires the deponent to
2 produce private, confidential information relating to any of the Responding Parties, including, but
3 not limited to, confidential tax return information protected by the right of privacy. *See, e.g.*,
4 *Premium Services Corp. v. Sperry & Hutchinson Co.*, 511 F.2d 225, 229 (9th Cir. 1975) *Sandoval*
5 *v. Lagoon Assocs., LLC*, No. CV 15-04880 RGK (RAOx), 2016 U.S. Dist. LEXIS 41473, at *8
6 (C.D. Cal. Mar. 23, 2016). Subject to and without waiving said objections, Responding Parties
7 do not object to responsive, non-confidential documents relating to 4402 Mammoth Investors,
8 LLC, the subject property, attempts to refinance the subject property, and attempts to pay off the
9 loan balance relating to the property.

10 **Request No. 12: All documents or communications for the financing or refinancing
11 of the Property.**

12 Responding Parties objected to this request to the limited extent it requires the deponent to
13 produce private, confidential information relating to any of the Responding Parties, including, but
14 not limited to, confidential tax return information protected by the right of privacy. *See, e.g.*,
15 *Premium Services Corp. v. Sperry & Hutchinson Co.*, 511 F.2d 225, 229 (9th Cir. 1975) *Sandoval*
16 *v. Lagoon Assocs., LLC*, No. CV 15-04880 RGK (RAOx), 2016 U.S. Dist. LEXIS 41473, at *8
17 (C.D. Cal. Mar. 23, 2016). Subject to and without waiving said objections, Responding Parties
18 do not object to responsive, non-confidential documents relating to 4402 Mammoth Investors,
19 LLC, the subject property, attempts to refinance the subject property, and attempts to pay off the
20 loan balance relating to the property.

21 DATED: October 4, 2019

CSREEDER, PC

Ben Tragish

By:

Christopher S. Reeder
Benjamin S. Tragish

**ATTORNEYS FOR ARTHUR
ASLANIAN, ANITA ASLANIAN, LJ
PROPERTIES, INC. AND RIVERSIDE
INVESTORS, LLC**

PROOF OF SERVICE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 11766 Wilshire Blvd., Suite 1470, Los Angeles, CA 90025.

On October 4, 2019, I served the foregoing document described as **ARTHUR ASLANIAN AND ANITA ASLANIAN'S OBJECTION TO SUBPOENA FOR FIRST CHOICE BANK TO TESTIFY AT A DEPOSITION IN A BANKRUPTCY CASE (OR ADVERSARY PROCEEDING)** on the parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Michael H. Weiss, Esq. 6310 San Vicente Blvd., Suite 401 Los Angeles, CA 90048 Tel: 424.245.3100 Fax: 424.217.4160 mhw@mhw-pc.com	<i>Attorneys for Stonehaven, LLC</i>
Kevin J. Leichter, Esq. Andrew W. Hewitt, Esq. The Leichter Firm, APC 10203 Santa Monica Blvd., Fourth Floor Los Angeles, CA 90067 Tel: 310.229.0000 kleichter@theleichterfirm.com ahewitt@theleichterfirm.com	<i>Attorneys for Stonehaven, LLC</i>
Shelby Linka Nadel CPA shelby@nadelcpa.com	
Mark T. Young Donahoe & Young LLP 25152 Springfield Court, Suite 345 Valencia, CA 91355 Tel: 661.259.9000 Fax: 661.554.7088 myoung@donahoeyoung.com	<i>Attorney for 4402 Mammoth Investors, LLC</i>

BY MAIL: By placing a true and correct copy of the above-described document(s) in envelope(s), addressed as set forth above, with first class postage pre-paid for delivery to the above-named persons at the above-listed addresses and depositing such envelopes in a US mail collection box.

- BY OVER NIGHT DELIVERY, VIA GOLDEN STATE OVERNIGHT:** I gave the document(s) to our overnight courier service for its daily pick-up for delivery to the offices of the addressee, addressed as set forth above.

BY PERSONAL SERVICE, VIA NATIONWIDE LEGAL ATTORNEY SERVICE: I gave said documents to the firm's regular attorney service with specific instructions to be personally delivered by hand to the offices of the addressee, addressed as set forth above.

BY PERSONAL SERVICE (*Ex Parte*): I personally delivered by hand to the attorney in attendance on behalf of the above-named counsel at the hearing of _____, in Department ___ of the _____ Courthouse, _____, California.

BY ELECTRONIC MAIL: I transmitted said document(s) to the person(s) shown above by electronic mail to the email address shown above.

BY FACSIMILE: I faxed said document(s) to the addressee, at the specified fax numbers shown above.

COURTESY COPY BY ELECTRONIC MAIL: I transmitted courtesy copies of said document(s) to the person(s) shown above by electronic mail to the email address shown above.

(State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on October 4, 2019, at Los Angeles, California.

Bon Tragis

Benjamin S. Tragish

1 Christopher S. Reeder, Bar No. 193041
2 Chris@csrlawyers.com
3 Benjamin S. Tragish, Bar No. 292188
4 Ben@csrlawyers.com
5 CSReeder, PC
6 11766 Wilshire Blvd., Suite 1470
7 Los Angeles, CA 90025
8 Tel: (310) 861-2470

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10 Attorneys for Arthur Aslanian, Anita Aslanian,
11 LJ Properties, Inc. and Riverside Investors, LLC

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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA

In re
4402 MAMMOTH INVESTORS, LLC,
Debtor,

4402 MAMMOTH INVESTORS, LLC,
Plaintiff

v.
STONEHAVEN, LLC

Defendant.

Case No. 2:18-bk-12055-WB
Chapter 11
Adv. No. 2:19-ap-01289-WB

**ARTHUR ASLANIAN, ANITA ASLANIAN,
LJ PROPERTIES, INC., AND RIVERSIDE
INVESTORS, LLC'S OBJECTION TO
AMENDED NOTICE OF DEPOSITION TO
FIRST CHOICE BANK TO TESTIFY AT A
DEPOSITION IN A BANKRUPTCY CASE
(OR ADVERSARY PROCEEDING)**

Date: October 8, 2019
Time: 10:00 a.m.
Location: 6310 San Vicente Blvd.,
Suite 401
Los Angeles, CA 90048

///

1 PLEASE TAKE NOTICE that Arthur Aslanian, Anita Aslanian, LJ Properties, Inc. and
2 Riverside Investors, LLC (“Responding Parties”) hereby object to Stonehaven, LLC’s
3 (“Stovehaven”) Further Amended Notice of Deposition of First Choice Bank (“FCB”) on the
4 following grounds:

5 **GENERAL OBJECTION**

6 Responding Parties object to Stonehaven’s Matters of Examination and Requests for
7 Production to the extent the requests are overbroad and call for the production of confidential,
8 personal financial information related to the Responding Parties, which exceed the reasonable
9 scope of discovery and which violate the Temporary Restraining Order executed by the Court on
10 September 20, 2019. Responding Parties do not object to responsive, non-confidential
11 information relating to 4402 Mammoth Investors, LLC, the subject property, or attempts to
12 refinance the subject property so long as the information does not require the production of
13 private, confidential information related to Responding Parties.

14 **MATTERS OF EXAMINATION**

15 **Item i) All debts owed by Debtor or Arthur Aslanian FCB.**

16 Objection. This request calls for the production of confidential, personal financial
17 information related to Arthur Aslanian, which is irrelevant and exceeds the reasonable and
18 proportional scope of discovery and which violates the Temporary Restraining Order executed by
19 the Court on September 20, 2019. Responding Parties do not object to responsive, non-
20 confidential information relating to 4402 Mammoth Investors, LLC, the subject property, or
21 attempts to refinance the subject property so long as the information does not require the
22 production of private, confidential information related to Responding Parties.

23 **Item ii) Loan applications filed by either Arthur Aslanian.**

24 Objection. This request is vague and unintelligible. Further, it calls for the production of
25 confidential, personal financial information related to Arthur Aslanian, which is irrelevant and
26 exceeds the reasonable and proportional scope of discovery and which violates the Temporary
27 Restraining Order executed by the Court on September 20, 2019. Responding Parties do not
28

1 object to responsive, non-confidential information relating to 4402 Mammoth Investors, LLC, the
2 subject property, or attempts to refinance the subject property so long as the information does not
3 require the production of private, confidential information related to Responding Parties.

4 **Item iii) Any tax returns filed in past five years for Debtor, Arthur Aslanian, Anita
5 Aslanian, LJ Properties, LLC or Riverside Investors, LLC.**

6 Objection. This calls for the production of confidential, personal financial information
7 related to the Responding Parties, which is irrelevant and exceeds the reasonable and proportional
8 scope of discovery and which violates the Temporary Restraining Order executed by the Court on
9 September 20, 2019. This request explicitly seeks confidential tax return information protected by
10 the right of privacy. *See, e.g., Premium Services Corp. v. Sperry & Hutchinson Co.*, 511 F.2d 225,
11 229 (9th Cir. 1975) *Sandoval v. Lagoon Assocs., LLC*, No. CV 15-04880 RGK (RAOx), 2016
12 U.S. Dist. LEXIS 41473, at *8 (C.D. Cal. Mar. 23, 2016). Responding parties specifically and
13 explicitly object to the production of any tax return information. Responding Parties do not
14 object to responsive, non-confidential communications relating to 4402 Mammoth Investors,
15 LLC, the subject property, or attempts to refinance the subject property so long as the information
16 does not require the production of private, confidential information related to Responding Parties.

17 **Item iv) The Acquisition and Refinancing of 120 Stonehaven Way, Los Angeles, CA
18 90025**

19 Responding Parties object to the limited extent that this request calls for the production of
20 information requiring the production of private, confidential information related to Responding
21 Parties. Responding Parties do not object to responsive, non-confidential information relating to
22 4402 Mammoth Investors, LLC, the subject property, or attempts to refinance the subject
23 property.

24 **Item v) Any financial statements prepared by any person for Debtor, Arthur Aslanian,
25 Anita Aslanian, LJ Properties, LLC or Riverside Investors, LLC**

26 Objection. This calls for the production of confidential, personal financial information
27 related to the Responding Parties, which is irrelevant and exceeds the reasonable and proportional
28 scope of discovery and which violates the Temporary Restraining Order executed by the Court on

1 September 20, 2019. Responding parties specifically and explicitly object to the production of
2 any tax return information. *See, e.g., Premium Services Corp. v. Sperry & Hutchinson Co.*, 511
3 F.2d 225, 229 (9th Cir. 1975) *Sandoval v. Lagoon Assocs., LLC*, No. CV 15-04880 RGK
4 (RAOx), 2016 U.S. Dist. LEXIS 41473, at *8 (C.D. Cal. Mar. 23, 2016). Responding Parties do
5 not object to responsive, non-confidential information relating to 4402 Mammoth Investors, LLC,
6 the subject property, or attempts to refinance the subject property so long as the information does
7 not require the production of private, confidential information related to Responding Parties.

REQUESTS FOR PRODUCTION

9 1. All documents and communications relating to any obligation of Debtor or
10 Aslanian to you.

11 Objection. This calls for the production of confidential, personal financial information
12 related to the Responding Parties, which is irrelevant and exceeds the reasonable and proportional
13 scope of discovery and which violates the Temporary Restraining Order executed by the Court on
14 September 20, 2019. Responding Parties do not object to responsive, non-confidential
15 information relating to 4402 Mammoth Investors, LLC, the subject property, or attempts to
16 refinance the subject property so long as the information does not require the production of
17 private, confidential information related to Responding Parties.

18 2. All documents and communications relating to any efforts to acquire the
19 Property, including but not limited to any loan application and any all attachments to any such
20 applications, including but not limited to any tax returns provided to You.

21 Objection. This request calls for the production of confidential, personal financial
22 information related to the Responding Parties, which is irrelevant and exceeds the reasonable and
23 proportional scope of discovery and which violates the Temporary Restraining Order executed by
24 the Court on September 20, 2019. This request explicitly seeks confidential tax return
25 information protected by the right of privacy. *See, e.g., Premium Services Corp. v. Sperry &*
26 *Hutchinson Co.*, 511 F.2d 225, 229 (9th Cir. 1975) *Sandoval v. Lagoon Assocs., LLC*, No. CV 15-
27 04880 RGK (RAOx), 2016 U.S. Dist. LEXIS 41473, at *8 (C.D. Cal. Mar. 23, 2016).
28 Responding parties specifically and explicitly object to the production of any tax return

1 information. Responding Parties do not object to responsive, non-confidential communications
2 relating to 4402 Mammoth Investors, LLC, the subject property, or attempts to refinance the
3 subject property so long as the information does not require the production of private, confidential
4 information related to Responding Parties.

5 **3. All documents and communications relating to any proposed or completed
6 renovation of the Property.**

7 Objection. This request is vague and overbroad. Responding Parties do not object to
8 responsive, non-confidential communications relating to 4402 Mammoth Investors, LLC, the
9 subject property, or attempts to refinance the subject property so long as the information does not
10 require the production of private, confidential information related to Responding Parties.

11 **4. Any and all documents evidencing payments to You from either or from
12 Aslanian or Debtor.**

13 Objection. This request is vague and overbroad and calls for the production of information
14 related to Arthur and Anita Aslanian, which is irrelevant and exceeds the reasonable and
15 proportional scope of discovery and which violates the Temporary Restraining Order executed by
16 the Court on September 20, 2019. Responding Parties do not object to responsive, non-
17 confidential communications relating to 4402 Mammoth Investors, LLC, the subject property, or
18 attempts to refinance the subject property so long as the information does not require the
19 production of private, confidential information related to Responding Parties.

20 **5. Any and all documents evidencing payments from You to or for the benefit of
21 Debtor or Aslanian**

22 Objection. This request is vague and overbroad and calls for the production of information
23 related to Arthur and Anita Aslanian, which exceeds the reasonable scope of discovery and which
24 is irrelevant and exceeds the reasonable and proportional scope of discovery and which violates
25 the Temporary Restraining Order executed by the Court on September 20, 2019. Arthur and Anita
26 Aslanian do not object to responsive, non-confidential communications relating to 4402
27 Mammoth Investors, LLC, the subject property, or attempts to refinance the subject property so
28 long as the information does not require the production of private, confidential information

1 related to Responding Parties.

2 .
3
4 DATED: October 4, 2019

CSREEDER, PC

Ben Tragish

5 By: _____
6 Christopher S. Reeder
7 Benjamin S. Tragish

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**ATTORNEYS FOR ARTHUR
ASLANIAN, ANITA ASLANIAN, LJ
PROPERTIES, INC. AND RIVERSIDE
INVESTORS, LLC**

PROOF OF SERVICE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 11766 Wilshire Blvd., Suite 1470, Los Angeles, CA 90025.

On October 4, 2019, I served the foregoing document described as **ARTHUR ASLANIAN AND ANITA ASLANIAN'S OBJECTION TO SUBPOENA FOR FIRST CHOICE BANK TO TESTIFY AT A DEPOSITION IN A BANKRUPTCY CASE (OR ADVERSARY PROCEEDING)** on the parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

11	Michael H. Weiss, Esq. 6310 San Vicente Blvd., Suite 401 Los Angeles, CA 90048 Tel: 424.245.3100 Fax: 424.217.4160 mhw@mhw-pc.com	<i>Attorneys for Stonehaven, LLC</i>
12	Kevin J. Leichter, Esq. Andrew W. Hewitt, Esq. The Leichter Firm, APC 10203 Santa Monica Blvd., Fourth Floor Los Angeles, CA 90067 Tel: 310.229.0000 kleichter@theleichterfirm.com ahewitt@theleichterfirm.com	<i>Attorneys for Stonehaven, LLC</i>
13	Rick Shaffer Law Offices of Richard S. Shaffer 3500 W. Olive Ave., Ste. 300 Burbank, CA 91505-4647 Tel: 818.227.5920 Fax: 818.227.5926 rick@raslaw.com	<i>Attorney for First Choice Bank</i>
14	Mark T. Young Donahoe & Young LLP 25152 Springfield Court, Suite 345 Valencia, CA 91355 Tel: 661.259.9000 Fax: 661.554.7088 myoung@donahoeyoung.com	<i>Attorney for 4402 Mammoth Investors, LLC</i>

BY MAIL: By placing a true and correct copy of the above-described document(s) in envelope(s), addressed as set forth above, with first class postage pre-paid for delivery to the above-named persons at the above-listed addresses and depositing such envelopes in a US mail collection box.

BY OVER NIGHT DELIVERY, VIA GOLDEN STATE OVERNIGHT: I gave the document(s) to our overnight courier service for its daily pick-up for delivery to the offices of the addressee, addressed as set forth above.

BY PERSONAL SERVICE, VIA NATIONWIDE LEGAL ATTORNEY SERVICE: I gave said documents to the firm's regular attorney service with specific instructions to be personally delivered by hand to the offices of the addressee, addressed as set forth above.

BY PERSONAL SERVICE (*Ex Parte*): I personally delivered by hand to the attorney in attendance on behalf of the above-named counsel at the hearing of _____, in Department ___ of the _____ Courthouse, _____, California.

BY ELECTRONIC MAIL: I transmitted said document(s) to the person(s) shown above by electronic mail to the email address shown above.

BY FACSIMILE: I faxed said document(s) to the addressee, at the specified fax numbers shown above

COURTESY COPY BY ELECTRONIC MAIL: I transmitted courtesy copies of said document(s) to the person(s) shown above by electronic mail to the email address shown above

(State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on October 4, 2019 at Los Angeles, California

Bon Tragis

Benjamin S. Tragish

EXHIBIT 5

From: Shelby@nadelcpa.com
To: "Michael Weiss"; myoung@donahoeyoung.com; MGarcia@donahoeyoung.com; TWilliams@donahoeyoung.com;
Ben Tragish; rick@raslaw.com; Christopher Reader
Cc: ahewitt@theleichterfirm.com; "Kevin Leichter"
Subject: RE: Correct Page from Further Notice of Depositions of 4402 Mammoth.pdf
Date: Tuesday, October 8, 2019 2:15:03 PM
Attachments: Pages from Further Notice of Deposition of 4402 Mammoth.pdf

Michael,

The deposition information you sent above that you and I agreed upon is for October 10 at 9am in your office, not October 8 at 2pm.

Please advise.

Shelby Linka

From: Michael Weiss <mhw@mhw-pc.com>
Sent: Thursday, October 3, 2019 2:16 PM
To: myoung@donahoeyoung.com; MGarcia@donahoeyoung.com; TWilliams@donahoeyoung.com; ben@csrlawyers.com; rick@raslaw.com; chris@csrlawyers.com; Shelby@nadelcpa.com
Cc: ahewitt@theleichterfirm.com; Kevin Leichter <kleichter@theleichterfirm.com>
Subject: Correct Page from Further Notice of Depositions of 4402 Mammoth.pdf

1 **TO PLAINTIFF 4402 MAMMOTH INVESTORS, LLC AND ITS ATTORNEYS OF**
2 **RECORD:**

3 **DEPOSITION OF 4402 MAMMOTH INVESTORS, LLC**

4 **PLEASE TAKE NOTICE** that, under Federal Rule of Bankruptcy Procedure 7030(b)(6),
5 Defendant Stonehaven, LLC (“Defendant”), shall take the deposition upon oral examination of
6 Plaintiff 4402 Mammoth Investors, LLC (“Debtor”) through one or more officers, directors,
7 agents or other representatives who shall be designated to testify on Plaintiff’s behalf regarding
8 all information known or reasonably available to Plaintiff with respect to the subject matter
9 identified below.

10 This deposition shall commence on October 10, 2019 at 9:00 a.m. at the offices of The
11 Leichter Firm, 10203 Santa Monica Boulevard, 4th Floor, Los Angeles, California 90067, or
12 at such other time and location as agreed upon by the parties, and shall be taken before a duly
13 certified court reporter. The deposition will be recorded by stenographic means and may be
14 recorded by videotape.

15 NOTICE IS FURTHER GIVEN that Debtor shall bring and produce at the deposition, at
16 the time and place specified in this notice the documents and things as more particularly
17 described in Exhibit “A” hereto.

18 NOTICE IS FURTHER that, pursuant to Federal Rule of Bankruptcy Procedure
19 7030(b)(6), the matters on which examination is requested are as follows:
20 a. All steps that Debtor has taken to refinance 120 Stonehaven Way, Los Angeles, CA 90025
21 (the “Property”);

- 22 b. All steps that Debtor has taken to sell the Property;
23 c. All of the debts scheduled by Debtor on its schedules of assets and liabilities filed in this
24 bankruptcy case;
25 d. All payments by Arthur Aslanian or any other party to pay the debts or other obligations
26 of Debtor since January 1, 2017;
27 e. All facts relating to Debtor’s acquisition of the property;
28 f. All facts relating to Debtor’s attempts to obtain possession of the Property;

EXHIBIT 6

From: Shelby@nadelcpa.com
To: "Michael Weiss"; myoung@donahoeyoung.com; MGarcia@donahoeyoung.com; TWilliams@donahoeyoung.com; Ben Tragish; rick@raslaw.com; Christopher Reeder
Cc: ahewitt@theleichterfirm.com; "Kevin Leichter"; nadel@nadelcpa.com
Subject: Objection - Rule 45
Date: Wednesday, October 9, 2019 2:54:21 PM
Attachments: 19.10.04 Obj to Amend Subp to Nadel CPA.pdf

Dear Mr. Weiss-

We are in receipt of an objection from counsel for the Aslanian's to the Notice of Amended Deposition for my firm (Nadel) to testify and to produce documents. Please note that we are joining into the objection, issued by counsel for the Aslanian's, pursuant to Rule 45. Therefore, we will not be producing any tax return information. Once the court makes a determination as to the objections, we will comply at that time with any Orders to Produce.

We are not privy to the temporary restraining order issued on September 20, 2019, indicted in the objection, and do not want to violate any court Orders.

Thank you for your attention to this matter.

Shelby Linka

EXHIBIT 7

From: Ben Tragish
To: Michael Weiss; Kevin Leichter
Cc: myoung@donahoeyoung.com; MGarcia@donahoeyoung.com; Andrew Hewitt; Christopher Reeder; Yvonne Sanchez; Sherry Young
Subject: RE: 4402 Mammoth Depositions
Date: Wednesday, October 9, 2019 1:53:00 PM
Attachments: image001.png

Hi Michael,

We did not receive a response to the email below. Notwithstanding that we have not received notices for the proposed depositions of Mr. Aslanian, LJ Properties, or Riverside tomorrow and notwithstanding that we do have not categories of information upon which to prepare Mr. Aslanian to testify on behalf of these entities, Mr. Aslanian will plan to appear at Mr. Leichter's office at 9am tomorrow for depositions of Mr. Aslanian individually, and as the representative for LJ Properties and Riverside Investors. However, in the event Mr. Aslanian is subjected to continued harassment, intimidation, or any other improper attorney conduct, we will have no choice but to terminate the deposition. As noted below, Mr. Aslanian is being produced for seven hours of testimony, total, tomorrow.

Additionally, we would like to meet and confer with you regarding your requests for tax return information pertaining to Mr. Aslanian, Anita Aslanian, LJ Properties, and Riverside, and confidential financial statements of Mr. Aslanian and Ms. Aslanian.

The Ninth Circuit Court of Appeals recognizes a public policy against unnecessary disclosure of tax returns. *See, e.g., Premium Services Corp. v. Sperry & Hutchinson Co.*, 511 F.2d 225, 229 (9th Cir. 1975) (sustaining objection to subpoena seeking production of tax returns as to individual and his affiliated entity in anti-trust litigation); *Sandoval v. Lagoon Assocs., LLC*, No. CV 15-04880 RGK (RAOx), 2016 U.S. Dist. LEXIS 41473, at *8 (C.D. Cal. Mar. 23, 2016) (declining to compel discovery of tax return information on grounds that the financial information sought through tax returns could be provided through other discovery methods). *Sandoval* explains that courts generally apply a two-pronged test to balance the liberal scope of discovery and the policy favoring the confidentiality of tax returns. *Id.* at 8. First, the court must find that the returns are relevant to the subject matter of the action. *Id.* Second, the court must find that there is a compelling need for the returns because the information contained therein is not otherwise readily obtainable.' *Id.* at 8-9 [internal citations omitted].

Both the requests for tax return information and for the confidential financial information of Mr. Aslanian, Anita Aslanian, LJ Properties, and Riverside Investors are patently not relevant and proportional to the scope of the discovery for the preliminary injunction hearing. Fed R. Civ. Proc. 26(c) "underscores the extensive control that district courts have over the discovery process, authorizing courts to make any order which justice requires to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense." *United States v. Columbia Broadcasting System, Inc.*, 666 F.2d 364, 369 (citing 8 C. Wright and A. Miller, Federal Practice and Procedure: Civil § 2036 at 267).

We intend to move for a protective order as to these limited issues if they cannot be resolved

promptly. Please advise as to your availability to discuss.

From: Ben Tragish

Sent: Tuesday, October 8, 2019 12:22 PM

To: Michael Weiss <mhw@mhw-[pc.com](#)>; Kevin Leichter <kleichter@theleichterfirm.com>

Cc: myoung@donahoeyoung.com; MGarcia@donahoeyoung.com; Andrew Hewitt

<ahewitt@theleichterfirm.com>; Christopher Reeder <chris@csrlawyers.com>

Subject: RE: 4402 Mammoth Depositions

Dear Counsel,

Our office called Nadel CPA to confirm whether there would be a witness appearance at 2pm today in light of the further amended notice today we received for Nadel CPA's deposition at 2pm at Mr. Weiss' office. We were advised Nadel CPA was never served with a notice of deposition/subpoena for today's date and did not plan to appear for a deposition today.

Furthermore, other than Mr. Leichter's vitriolic email below, we have yet to hear back from your office regarding the location for the depositions of Mr. Aslanian, LJ Properties, Inc., or Riverside Investors, LLC, and we have yet to receive notice of the proposed October 10 depositions.

Please advise.

-Ben

From: Kevin Leichter <kleichter@theleichterfirm.com>

Sent: Friday, October 4, 2019 3:15 PM

To: Christopher Reeder <chris@csrlawyers.com>; Ben Tragish <ben@csrlawyers.com>

Cc: myoung@donahoeyoung.com; MGarcia@donahoeyoung.com; Michael Weiss <mhw@mhw-[pc.com](#)>; rick@raslaw.com; Andrew Hewitt <ahewitt@theleichterfirm.com>

Subject: Re: 4402 Mammoth Depositions

Chris,

Your stated concerns are unfounded, in reason and in fact. Nothing untoward has ever occurred at your client's depositions in the past, and thus no reason exists for genuine concern on your part. Accordingly, the depositions will proceed as noticed, at my office, unless you obtain a protective order from the Court, which you are welcome to seek (however unwarranted in our opinion). See Rule 7026.

That said, if you have security concerns, founded or not, your client is welcome to bring a security guard, on the condition that he or she not interfere with the examination.

In short, this deposition is going forward, in the ordinary course. We expect – and insist on -- your client's attendance absent a protective order. If he does not attend per notice, we will seek dismissal of the adversary proceeding, and sanctions. See Rule 7037.

Thank you,

Kevin

P.S. We are entitled to 7 hours for each deposition. We are combining with the thought that the examinations will be shorter and more efficient. But we are not being limited by our efforts at efficiency. On a related note, we expect that 30(b)(6) will be complied with and your designee (Arthur Aslanian per your advice) will be FULLY PREPARED TO TESTIFY AS TO ALL KNOWLEDGE OF THE ENTITY. If that is the case, and there is no obstruction, 7 hours should be plenty.--K

From: Christopher Reeder <chris@csrlawyers.com>
Date: Friday, October 4, 2019 at 5:26 PM
To: Michael Weiss <mhw@mhw-pc.com>, Ben Tragish <ben@csrlawyers.com>
Cc: "myoung@donahoeyoung.com" <myoung@donahoeyoung.com>,
"MGarcia@donahoeyoung.com" <MGarcia@donahoeyoung.com>, "rick@raslaw.com"
<rick@raslaw.com>, Andrew Hewitt <ahewitt@theleichterfirm.com>, Kevin Leichter
<kleichter@theleichterfirm.com>
Subject: Re: 4402 Mammoth Depositions

Michael, it can be at your office if you like. However, the client does not feel safe going to the noticed location.

From: Michael Weiss <mhw@mhw-pc.com>
Date: Friday, October 4, 2019 at 2:25 PM
To: Benjamin Tragish <ben@csrlawyers.com>
Cc: "myoung@donahoeyoung.com" <myoung@donahoeyoung.com>,
"MGarcia@donahoeyoung.com" <MGarcia@donahoeyoung.com>, "rick@raslaw.com"
<rick@raslaw.com>, Christopher Reeder <chris@csrlawyers.com>,
"ahewitt@theleichterfirm.com" <ahewitt@theleichterfirm.com>,
"kleichter@theleichterfirm.com" <kleichter@theleichterfirm.com>
Subject: RE: 4402 Mammoth Depositions

Mr. Tragish:

We expect the deposition to occur at Mr. Leichter's offices as noticed.

Michael H. Weiss, Esq.
Professional Corporation
6310 South San Vicente Boulevard, Suite 401
Los Angeles, CA 90048
Telephone: (424) 245-3102
Cell: (310) 913-1774

Facsimile: (424) 217-4160

From: Ben Tragish <ben@csrlawyers.com>
Sent: Friday, October 4, 2019 12:05 PM
To: Michael Weiss <mhw@mhw-pc.com>; Mark Young <myoung@donahoeyoung.com>; Maria Garcia <MGarcia@donahoeyoung.com>; Rick Shaffer <rsh@mhw.com>; Christopher Reeder <chris@csrlawyers.com>
Cc: ahewitt@theleichterfirm.com; Kevin Leichter <kleichter@theleichterfirm.com>
Subject: RE: 4402 Mammoth Depositions

Hi Michael,

As to our clients (Arthur Aslanian, Riverside, LJ Properties), we can proceed with depositions on October 10, 2019. I understand that this date also works for Mammoth. However the total time of the examinations combined will need to be limited to 7 hours. For reasons previously discussed in the TRO/Preliminary Injunction briefing, we object to the depositions taking place at Mr. Leichter's office. We request that you set the depositions at our offices just down the road in Brentwood (11766 Wilshire Blvd., Suite 1470). We are happy to host and accommodate everyone. Please let us know if this is agreeable.

Additionally, I am enclosing objections that will be served to your amended notices to First Choice Bank and Nadel CPA.

-Ben

CSReeder, PC

Benjamin S. Tragish, Esq.
11766 Wilshire Boulevard
Suite 1470
Los Angeles, CA 90025
Direct dial: (310) 861-2474
ben@csrlawyers.com
www.csrlawyers.com

From: Michael Weiss <mhw@mhw-pc.com>
Sent: Thursday, October 3, 2019 10:35 AM
To: Mark Young <myoung@donahoeyoung.com>; Maria Garcia <MGarcia@donahoeyoung.com>; Ben Tragish <ben@csrlawyers.com>; Rick Shaffer <rsh@mhw.com>; Christopher Reeder <chris@csrlawyers.com>
Cc: ahewitt@theleichterfirm.com; Kevin Leichter <kleichter@theleichterfirm.com>
Subject: 4402 Mammoth Depositions

Dear Counsel:

Arthur Aslanian Deposition: We propose to have this deposition at Kevin Leichter's office at 9:00 a.m. on October 10 and will be for Mr. Aslanian as PMK of 4402 Mammoth, LJ Properties, Riverside Investors and Mr. Aslanian individually.

First Choice Bank: We propose that depo take place at my offices at 9:30 a.m. on October 8. I expect that it will not take more than two hours.

Nadel CPA: We propose that depo take place at my offices at 2:00 p.m. on October 8. I expect that it will not take more than three hours.

Please also note, pursuant to the attached email that the PMK for Concord is not available for either a depo or trial. It is our position that no one from Concord can therefore testify at trial.

Please call me as soon as possible to discuss this if you have any issues.
Otherwise I will send a revised notice of depositions out forthwith.

Michael H. Weiss, Esq.
Professional Corporation
6310 South San Vicente Boulevard, Suite 401
Los Angeles, CA 90048
Telephone: (424) 245-3102
Cell: (310) 913-1774
Facsimile: (424) 217-4160

PROOF OF SERVICE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 11766 Wilshire Blvd., Suite 1470, Los Angeles, CA 90025.

On October 9, 2019, I served the foregoing document described as **ARTHUR ASLANIAN AND ANITA ASLANIAN'S OBJECTION TO SUBPOENA FOR FIRST CHOICE BANK TO TESTIFY AT A DEPOSITION IN A BANKRUPTCY CASE (OR ADVERSARY PROCEEDING)** on the parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

10	Michael H. Weiss, Esq. 6310 San Vicente Blvd., Suite 401 Los Angeles, CA 90048	<i>Attorneys for Stonehaven, LLC</i>
11	Tel: 424.245.3100	
12	Fax: 424.217.4160	
13	<u>mhw@mhw-pc.com</u>	
14	Kevin J. Leichter, Esq.	<i>Attorneys for Stonehaven, LLC</i>
15	Andrew W. Hewitt, Esq.	
16	The Leichter Firm, APC	
17	10203 Santa Monica Blvd., Fourth Floor	
18	Los Angeles, CA 90067	
19	Tel: 310.229.0000	
20	<u>kleichter@theleichterfirm.com</u>	
21	<u>ahewitt@theleichterfirm.com</u>	
22	Rick Shaffer	<i>Attorney for First Choice Bank</i>
23	Law Offices of Richard S. Shaffer	
24	3500 W. Olive Ave., Ste. 300	
25	Burbank, CA 91505-4647	
26	Tel: 818.227.5920	
27	Fax: 818.227.5926	
28	<u>rick@raslaw.com</u>	
29	Shelby Linka	
30	Nadel CPA	
31	16133 Ventura Blvd., #955	
32	Encino, CA 913436	
33	<u>Shelby@nadelcpa.com</u>	
34	Mark T. Young	<i>Attorney for 4402 Mammoth Investors, LLC</i>
35	Donahoe & Young LLP	
36	25152 Springfield Court, Suite 345	
37	Valencia, CA 91355	
38	Tel: 661.259.9000	

1 Fax: 661.554.7088
2 myoung@donahoeyoung.com

3 **BY MAIL:** By placing a true and correct copy of the above-described document(s) in
4 envelope(s), addressed as set forth above, with first class postage pre-paid for delivery to the above-
5 named persons at the above-listed addresses and depositing such envelopes in a US mail collection
6 box.

7 **BY OVER NIGHT DELIVERY, VIA GOLDEN STATE OVERNIGHT:** I gave the
8 document(s) to our overnight courier service for its daily pick-up for delivery to the offices of the
9 addressee, addressed as set forth above.

10 **BY PERSONAL SERVICE, VIA NATIONWIDE LEGAL ATTORNEY SERVICE:** I
11 gave said documents to the firm's regular attorney service with specific instructions to be
12 personally delivered by hand to the offices of the addressee, addressed as set forth above.

13 **BY PERSONAL SERVICE (*Ex Parte*):** I personally delivered by hand to the attorney in
14 attendance on behalf of the above-named counsel at the hearing of _____, in
15 Department ___ of the _____ Courthouse, _____,
16 California.

17 **BY ELECTRONIC MAIL:** I transmitted said document(s) to the person(s) shown above by
18 electronic mail to the email address shown above.

19 **BY FACSIMILE:** I faxed said document(s) to the addressee, at the specified fax numbers
20 shown above.

21 **COURTESY COPY BY ELECTRONIC MAIL:** I transmitted courtesy copies of said
22 document(s) to the person(s) shown above by electronic mail to the email address shown above.

23 (State) I declare under penalty of perjury under the laws of the State of California that the
24 above is true and correct.

25 (Federal) I declare that I am employed in the office of a member of the bar of this court at
26 whose direction the service was made.

27 Executed on October 9, 2019, at Los Angeles, California.

28 _____
29 Benjamin S. Tragish